

REMARKS

The last Office Action has been carefully considered.

It is noted that 1, 5-10, 12 and 14 are rejected under 35 U.S.C. 102 over the patent to Oliwa.

At the same time the Examiner indicated that claim 15 is allowable.

Also, the claims were rejected under 35 U.S.C. 112.

In connection with the Examiner's formal rejections, applicant has amended claim 15 and submitted a new claim 16 which was drafted with due regard to the Examiner's rejection of the claims under 35 U.S.C. 112. The Examiner's objection of paragraph 1 of the Office Action were not completely understood since in the original claim 1 there was no phrase "a decorative part is insertable". However, applicant will be glad to make any changes in the claims to make them clear.

After carefully considering the Examiner's grounds for the rejection of the claims over the art, applicants have canceled claim 1, the

broadest claim on file, and submitted a new independent claim 16. The retained dependent claims have been amended to depend on claim 16.

It is respectfully submitted that claim 16 clearly and patentably distinguishes the present invention from the references applied by the Examiner against the original claims.

Claim 16, the broadest claim currently on file, specifically defines that the decorative part and the indicating device are different structural elements which are independent from one another. Also, this claim specifically defines that the indicating device is arranged in a throughgoing opening of the wall of the device, or in other words the opening which extends from the outer surface to the inner surface of the wall of the device, while the decorative part is arranged in a depression which just is offset relative to the outer surface of the wall and provided in the edge region which surrounds the throughgoing opening. The support for these features can be found in the second paragraph of page 7, on the first paragraph of page 8 as well as in Figure 3 and other parts of the application.

Turning now to the references and in particular to the patent to Oliwa, it can be seen that this reference discloses a device with an outer

surface 11 provided with a depression 20. A display module with the indicating device and decorative part is insertable in the depression 20.

In contrast, in accordance with the applicant's invention the wall of the device is provided with a throughgoing opening in which the indicating device is received. Such a throughgoing opening is not disclosed in the patent to Oliwa. The throughgoing opening in the device surface 11 of the reference shown in Figure 3 is designed for receiving a magnet 56 for mounting the display module in the depression 20 of the device outer surface 11.

In accordance with applicant's invention, the indicating device and the decorative part as well as cooperating structure are formed completely different. The throughgoing opening is formed for receiving the indicating device, while in contrast the edge region which surrounds the throughgoing opening is provided with a depression which serves for receiving the decorative part. These features are not disclosed in the patent to Oliwa and can not be derived from it as a matter of obviousness.

A person skilled in the art with the teaching of the reference in front of him must remove the indicating device from the display module 12 and instead of the magnets 56 arrange it in the throughgoing opening of the

device outer surface 11 so that a decorative part remains in the depression 20 of the device outer surface 11. However, no hint or suggestion are provided in the reference for these features. In order to arrive at the applicant's invention from this reference the reference has to be fundamentally modified by including into it such features which are not disclosed in the references, can not be considered as obvious from the references, and therefore can not be derived from the reference as a matter of obviousness.

In view of the above presented remarks and amendments, it is believed that claim 16, the broadest claim on file, should be considered as patentably distinguishing over the art and should be allowed.

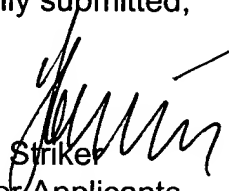
As for the retained dependent claims, these claims depend on claim 16, they share its presumably allowable features and therefore it is respectfully submitted that these claims should be allowed as well.

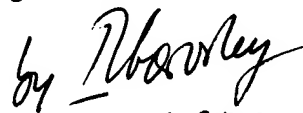
Reconsideration and allowance of present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in

formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Any costs involved should be charged to the deposit account of the undersigned (No. 19-4675). Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 516-549-4700).

Respectfully submitted,


Michael J. Striker
Attorney for Applicants
Reg. No. 27233

by 
R. N. 28763